

TRACT IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Claude Vogel Art Unit: 2178

Serial No.: 09/687,612 Examiner: Matthew J. Ludwig

Filed : October 11, 2000

Title : SYSTEM AND METHOD FOR PARSING A DOCUMENT

#### MAIL STOP PETITIONS

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

# PETITION UNDER 37 C.F.R. § 1.181(A) TO WITHDRAW HOLDING OF ABANDONMENT

Pursuant to 37 C.F.R. § 1.181(a) and M.P.E.P. 711.03(a), Applicants petition to withdraw the holding of abandonment of the above-captioned application, set forth in the Notice of Abandonment mailed October 21, 2004. The holding of abandonment is based on the Applicants' purported failure to file a timely response to the Office Action mailed on February 24, 2004.

The application is not in fact abandoned because, on May 26, 2004, the Applicants filed a timely Amendment and Reply to the February 24, 2004 Office Action, together with a petition for a one-month extension of time and a request for a corrected filing receipt. Enclosed are copies of the Amendment and Reply, the petition for extension of time, the request for a corrected filing receipt, and a stamped return receipt postcard, which constitutes *prima facie* evidence that these documents were timely filed on May 26, 2004. M.P.E.P. § 503. Accordingly, Applicants respectfully request that the holding of abandonment be withdrawn and that the Amendment and Reply, the petition for extension of time, and the request for a corrected filing receipt be fully considered.

In accordance with 37 C.F.R. § 1.181(f), this petition is timely filed within two months of the mailing of the Notice of Abandonment. It is not believed that any fee is due. Please apply any charges or credits to deposit account 06-1050.

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Respectfully submitted,

Date: 12/17/2004

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Attorney's Docket No. 16438-010001	Express Mail Label No.	Mailing Date May 26, 2004	For PTO Use Only	•
Application No.	Filing Date	Attorney/Secretary Init	Do Not Mark in This	
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# AMENDMENT IN REPLY TO ACTION OF FEBRUARY 24, 2004

Please amend the above-identified application as follows:

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this paper.

Remarks/Arguments begin on page 7 of this paper.

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Amendments to the Specification:

Please add the following <u>new</u> paragraph after the title and before the paragraph beginning at page 1, line 2:

### **CLAIM OF PRIORITY**

This application claims priority under 35 USC §120 to, and is a continuation-in-part of, U.S. Patent Application Serial No. 09/288,994, filed on April 9, 1999, the entire contents of which are hereby incorporated by reference.

plicant : Claude Vogel

Attorney's Docket No.: 16438-010001

Applicant: Claude Vogel Serial No.: 09/687,612 Filed: October 11, 2000

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## Amendments to the Claims:

This listing of claims replaces all prior versions and listings of claims in the application:

## Listing of Claims:

1. (Original) A system for parsing a piece of foreign language text into one or more phrases which characterize a foreign language document, the system comprising:

a buffer for reading one or more words from the piece of text into the buffer until a break character is identified;

a parser for identifying a phrase contained in the buffer, the phrase being a sequence of two or more words in between break characters;

the parser further comprising means for determining the type of break character that follows the identified phrase and means for saving a key phrase from the buffer based on the determined type of break character;

a database for storing the key foreign language phrases.

- 2. (Original) The system of Claim 1, wherein the buffer further comprises means for flushing the buffer when the key phrase is stored in the database or the phrase in the buffer is deleted.
- 3. (Original) The system of Claim 1 further comprising a retriever for retrieving all occurrences of the extracted phrases from the piece of text after the piece of text has been parsed.
- 4. (Original) A method for parsing a piece of text into one or more phrases which characterize the document, the method comprising:

reading one or more words from the piece of text into a buffer until a break character is identified;

identifying a phrase contained in the buffer, the phrase being a sequence of two or more words in between break characters;

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determining the type of break character that follows the identified phrase; and saving a key phrase from the buffer into a database based on the determined type of break character.

5. (Original) The method of Claim 4 further comprising flushing the buffer when the key phrase is stored in the database or the phrase in the buffer is deleted.

6. (Original) The method of Claim 4 further comprising retrieving all occurrences of the extracted phrases from the piece of text after the piece of text has been parsed.

7. (Currently Amended) A system for parsing a piece of text into one or more phrases which characterize a document, the system comprising:

a buffer for reading one or more words from the piece of text into the buffer until a break character is identified;

a parser for identifying a phrase contained in the buffer, the phrase being a sequence of two or more words in between break characters[;], wherein the parser further comprising means for determining the is operable to determine a type of break character that follows the identified phrase and means for saving a save key phrase phrases from the buffer based on the determined type of break character;

a database for storing the key foreign language phrases; and

a retriever for retrieving all occurrences of the extracted phrases from the piece of text after the piece of text has been parsed.

8. (Currently Amended) The system of Claim 7, wherein the buffer further comprises means for flushing the buffer is operable to flush itself when the key phrase is stored in the database or the phrase in the buffer is deleted.

Claude Vogel Attorney's Docket No.: 16438-010001

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9. (Original) A method for parsing a piece of text into one or more phrases which characterize the document, the method comprising:

reading one or more words from the piece of text into a buffer until a break character is identified;

identifying a phrase contained in the buffer, the phrase being a sequence of two or more words in between break characters;

determining the type of break character that follows the identified phrase;

saving a key phrase from the buffer into a database based on the determined type of break character; and

retrieving all occurrences of the extracted phrases from the piece of text after the piece of text has been parsed.

- 10. (Original) The method of Claim 9 further comprising flushing the buffer when the key phrase is stored in the database or the phrase in the buffer is deleted.
- 11. (Original) A system for parsing a piece of text into one or more phrases which characterize the document, the system comprising:

a first pass comprising means for identifying a phrase contained in a buffer wherein the phrase is a sequence of two or more words in between break characters, means for determining the type of break character that follows the identified phrase and means for saving a key phrase from the buffer based on the determined type of break character; and

a second pass comprising means for retrieving all occurrences of the extracted phrases from the piece of text.

12. (Original) A method for parsing a piece of text into one or more phrases which characterize the document, the method comprising:

performing a first pass through the piece of text, the first pass comprising identifying a phrase contained in a buffer wherein the phrase is a sequence of two or more words in between

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break characters, determining the type of break character that follows the identified phrase and saving a key phrase from the buffer based on the determined type of break character; and

performing a second pass through the piece of text comprising retrieving all occurrences of the extracted phrases from the piece of text.

## 13. (New) A method comprising:

receiving a first word from a text stream at a buffer;

receiving a first break character that follows the first word within the text stream, at the buffer;

determining to temporarily retain the first word within the buffer, based on the first break character;

receiving a second word from the text stream at the buffer, the second word following the first break character in the text stream;

receiving a second break character at the buffer, the second break character following the second word in the text stream;

combining the first word and the second word into a phrase, based on the second break character;

removing the phrase from the buffer; and

saving the phrase in a memory, prior to receiving a third word from the text stream at the buffer.

# 14. (New) The method of claim 13 further comprising:

analyzing the entire text stream for any additional occurrences of the phrase within the text stream.

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#### REMARKS

Claims 1-14 are pending, with claims 1, 4, 7, 9, 11, 12, and 13 being independent. By this response, the specification is amended to add priority information that was included in the transmittal letter and Declaration, but that was inadvertently not included with the Specification at the time of filing. Accordingly, Applicant respectfully submits that the Examiner acknowledge Applicant's priority claim in the Examiner's next official communication. Also, claim 7 has been amended and claims 13 and 14 have been added. No new matter has been added.

Claims 1-12 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 2, and 8 of U.S. Patent No. 6,424,982 to Vogel (Vogel). Upon allowance of the pending claims, Applicant intends to file a terminal disclaimer under 37 C.F.R. 1.321(c) to overcome this rejection.

Claims 1-12 also are rejected under 35 U.S.C. 103(a) as being obvious over U.S. Patent No. 5,819,260 to Lu et al. (Lu). Applicant respectfully requests that this rejection be withdrawn, because Lu does not disclose or properly suggest all of the elements of at least the independent claims 1, 4, 7, 9, 11, and 12.

For example, claim 1 recites (with emphasis added):

A system for parsing a piece of foreign language text into one or more phrases which characterize a foreign language document, the system comprising:

a buffer for reading one or more words from the piece of text into the buffer until a break character is identified;

a parser for identifying a phrase contained in the buffer, the phrase being a sequence of two or more words in between break characters;

the parser further comprising means for determining the type of break character that follows the identified phrase and means for saving a key phrase from the buffer based on the determined type of break character;

a database for storing the key foreign language phrases.

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For example, as illustrated in FIGS. 3 and 5 of Applicant's specification, individual words may be received at a buffer, and, after receipt of each individual word, a following break character may be received and analyzed. For certain types of break characters, the word may be retained in the buffer (and added to other word(s) in the buffer, if any) while the next word is checked. For other types of break characters, the word(s) may be deleted or flushed from the buffer, and, in some cases, words in the buffer may be simultaneously saved to a memory as a phrase. In short, and as claimed, a phrase is saved from the buffer (or not) based on the determined type of break character.

In contrast, Lu identifies alleged "break characters" only as a means of partitioning words within a document for further analysis. There are no types of break characters, where one type necessitates deletion of a word and another type necessitates saving the word(s) as a key phrase. Rather, in Lu, once the entire document is processed, the result is a partitioned document that includes only "chunks" of text, from which Lu identifies "phrases" by, for example, further reducing particularly long text "chunks" and then analyzing the entire document to determine which of the shortened "chunks" occur most frequently within the document, which may then (and only then) be designated as "key phrases" of the document (see, e.g., column 4, lines 1-37, as well as claim 1 of Lu).

To illustrate a practical effect of these differences, FIG. 5A of Applicant's specification illustrates a result of processing the first few sentences of a stream of text (from FIG. 4). In FIG. 5A, words such as "develops" have been flushed or deleted, while a phrase such as "snake-like robot" has been identified, "based on the determined type of break character" associated with these words. That is, even though the text of FIG. 4 has only partially been processed, key phrases are already identified and extraneous words already deleted.

In contrast, at a similar stage of processing in Lu, the processed words would merely have been partitioned into chunks of text, where, generally, no chunk of text would be more important than another (much less be identified as a key phrase) until after a remainder of the document text was received and partitioned AND the entire document text was analyzed for frequency of occurrence of each of the text chunks.

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Therefore, Lu does not disclose or properly suggest at least the above-discussed features of claim 1. Applicant notes that paragraph 6 of the Office Action, which sets forth the rejection of claim 1, contains no mention of the above-discussed claim limitation of "saving a key phrase from the buffer based on the determined type of break character," and therefore cannot serve as a basis of rejection under either 35 U.S.C. 102 or 103, since both of these statutes require a disclosure or proper suggestion of all of the recited claim elements. As a result, Applicant submits that the proposed modification(s) of Lu does not validly support a prima facie case of obviousness under 35 U.S.C. 103(a).

Accordingly, independent claim 1 is believed to be in condition for allowance, along with its dependent claims 2 and 3. Each of the independent claims 4, 7, 9, 11, 12, and 13 contain the same or similar limitations as just discussed, and so are believed to be in condition for allowance for at least the same reasons, along with their dependent claims 5, 6, 8, 10, and 14. Based on the above, all of claims 1-14 are believed to be in condition for allowance, and such action is hereby requested in the Examiner's next official communication.

Enclosed is a \$86.00 check for excess claim fees. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Reg. No. 46,112

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Alexandria, VA 22313-1450

## PETITION FOR ONE-MONTH EXTENSION OF TIME

Pursuant to 37 CFR §1.136, applicant hereby petitions that the period for response to the action dated February 24, 2004, be extended for one month to and including June 24, 2004.

Enclosed is a check for \$55 for the required fee. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

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# REQUEST FOR CORRECTED OFFICIAL FILING RECEIPT

Please correct the Filing Receipt for the above-referenced application to include the Domestic Priority data as claimd by applicant: This application claims priority to, and is a continuation-in-part of, U.S. Patent Application Serial No. 09/288,994, filed on April 9, 1999.

Please supply a corrected Filing Receipt to the undersigned with respect to this application. A copy of the original Filing Receipt showing the desired changes in red ink is attached for your convenience.

No fee is believed to be due. If, however, there are any charges or credits, please apply them to Deposit Account No. 06-1050.

Respectfully submitted,

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APPLICATION NUMBER | FILING DATE | GRP ART UNIT | FIL FEE REC'D | ATTY DOCKET NO | DRAWINGS | TOT CLAIMS | IND CLAIMS | 09/687,612 | 10/11/2000 | 2176 | 540 | 102467- 991131 | 17 | 12 | 6

UPDATED FILING RECEIPT

OCCOORDOOO5958115\*

Timothy W. Lohse GRAY CARY WARE & FREIDENRICH LLP 3340 Hillview Avenue Palo Alto, CA 94304

Date Mailed: 04/11/2001

**CONFIRMATION NO. 9817** 

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Claude Vogel, Alfortville, FRANCE;

Foreign Applications

Domestic Priority data as claimed by applicant

If Required, Foreign Filing License Granted 11/17/2000

Projected Publication Date: N/A

Non-Publication Request: No

**Early Publication Request: No** 

\*\* SMALL ENTITY \*\*

Title

System and method for parsing a document

**Preliminary Class** 







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#### GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CRF 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 36 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

#### **NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15 (b).

# PLEASE NOTE the following information about the Filing Receipt:

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application.
   They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 600 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."
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Any corrections that may need to be done to your Filing Receipt should be directed to:





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